REMARKS

In the final Office action, the Examiner rejects claims 1-5, 7-14, 16, 19 and 59-71 under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Published Application No. 2004/0006556 to Kwoh (hereinafter "KWOH"). Applicant respectfully traverses this rejection.

By way of this Amendment, Applicant proposes amending claims 1, 7, 9, 12, 14, 19, 59, 64, 67, and 68 to improve form; canceling claims 8, 13, 65, and 69 without prejudice or disclaimer, and adding new dependent claims 72-79. No new matter would be added by the entry of the present Amendment. Claims 1-5, 7, 9-12, 14, 16, 19, 59-64, 66-68, and 70-79 would be pending upon entry of the present Amendment.

Rejection under 35 U.S.C. § 102(e) based on KWOH

Claims 1-5, 7, 9-12, 14, 16, 19 and 59-64, 66-68, and 70-71, pending upon entry of the present Amendment, stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by KWOH.

A proper rejection under 35 U.S.C. § 102 requires that a reference teach every aspect of the claimed invention. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. KWOH does not disclose the combination of features recited in Applicants' pending claims 1-5, 7, 9-12, 14, 16, 19 and 59-64, 66-68, and 70-71.

For example, claim 1, amended as proposed, is directed to a method performed by a server device. The method includes receiving, from a user, one or more search queries that include one or more search terms and a selection of one or more search criteria, the

receiving being performed via a communication interface or input device of the server

device; searching stored data, based on the one or more search terms and based on the

one or more search criteria, to identify results, the searching being performed by a

processor of the server device; and providing, by the communication interface or an

output device of the server device, a document that includes a multi-dimensional graph of

at least some of the identified results, where a relevance of the identified results to the

one or more search terms is represented as a first dimension on the multi-dimensional

graph, at least one of the one or more selected search criteria is represented as a second

dimension on the multi-dimensional graph, and image representations of the included

identified results are plotted on the multi-dimensional graph based on relevance and the

at least one of the one or more search criteria. KWOH does not disclose or suggest this

combination of features.

For example, KWOH does not disclose or suggest providing, by a communication

interface or an output device of a server device, a document that includes a multi-

dimensional graph of at least some results identified based on one or more search queries,

where a relevance of the identified results to the one or more search terms is represented

as a first dimension on the multi-dimensional graph, at least one of the one or more

selected search criteria is represented as a second dimension on the multi-dimensional

graph, and image representations of the included identified results are plotted on the

multi-dimensional graph based on relevance and the at least one of the one or more

search criteria, as recited in claim 1, amended as proposed. The Examiner relies on the

abstract, Figs. 5-13, and paragraphs [0033]-[0053] of KWOH for allegedly disclosing

"providing a document that includes a multi-dimensional graph of the identified results,

at least one of the one or more search characteristics being represented as a dimension on

the multi-dimensional graph, where one of the identified results is represented by an

image on the multi-dimensional graph (final Office Action, p. 3). Applicant submits that

these sections (or any other sections) of KWOH do not disclose or suggest the above-

noted feature of claim 1, amended as proposed.

The abstract of KWOH discloses:

> A method for using a computer to search for various travel-related products based on desired travel product attributes inputted by a user and displaying the results of the search in a multi-dimensional table, so that at least one of the parameters of the table is determined by the desired travel product attributes selected by the user.

This section of KWOH discloses a method for using a computer to search various travel-

related products based on desired travel product attributes and displaying the results of

the search in a multi-dimensional table. This section of KWOH does not disclose or

suggest a multi-dimensional graph where a relevance of the identified results to one or

more search terms is represented as a first dimension. This section of KWOH also does

not disclose or suggest image representations of identified results. Therefore, this section

of KWOH does not disclose or suggest providing, by a communication interface or an

output device of a server device, a document that includes a multi-dimensional graph of

at least some results identified based on one or more search queries, where a relevance of

the identified results to the one or more search terms is represented as a first dimension

on the multi-dimensional graph, at least one of the one or more selected search criteria is

represented as a second dimension on the multi-dimensional graph, and image

representations of the included identified results are plotted on the multi-dimensional

graph based on relevance and the at least one of the one or more search criteria, as recited

in claim 1, amended as proposed.

Paragraphs [0033]-[0055] of KWOH, which describe Figs. 5-13 of KWOH, disclose that when a user accesses the server, the server generates an interface prompting the user to enter information. The user is prompted to select a type of product, such a travel product or an electronic product. The user is also prompted to select the desired product attributes. For example, if the product is a cruise, the user can select the cruise length, the preferred cabin type, the desired price range, or the type of facilities the user would like to use, or the ports of call the user would like to visit. Once the consumer has entered the desired attributes, the processor searches the product databases for products that meet the criteria. The product information is then presented to the user in a multi-dimensional display in the form of a table. The table is organized by defining product attributes along the x and y axis.

In the example of Fig. 5 of KWOH, the first product attribute is cruise location, and the second product attribute is the month of the cruise. A third product attribute displayed is the cruise company and a fourth attribute displayed is the cabin class. The products are sorted and the price displayed so that by looking at the price, the user can tell the location, month, cruise company and cabin class. The defined attributes along the x and y axis can be chosen by the user or by the server. The user can select the attributes by answering questions, using a pull-down menu, or selecting radio buttons. In another implementation, certain cells of the table can be color coded.

In the example of Fig. 6 of KWOH, a television database is depicted, with each record including the brand, diagonal size, model number, whether the scan is progressive or interlaced, whether there is picture tuning, and the price. Fig. 7 of KWOH depicts a multi-dimensional display relating diagonal size, type of scan, television brand, whether a

television has picture tuning, and the price. Fig. 8 of KWOH depicts a multi-dimensional display of airline tickets relating the origin and destinations of flights, the number of stops a flight has, the airline, seat class, and the prices of the flights. Fig. 9 of KWOH depicts a multi-dimensional display for homes for sale relating the location, square footage, the number of floors, the number of bedrooms, and the prices. Fig. 10 of KWOH depicts a multi-dimensional display of digital cameras for sale relating the weight of the camera, whether the camera has optical or digital zoom, the brand of the camera, the number of pixels, and the prices. Fig. 11 of KWOH depicts a table of multiple products with different prices. Fig. 12 of KWOH depicts a menu that allows a user to select additional product attributes to sort by. Fig. 13 of KWOH depicts a table with the additional attributes selected by the user.

This section of KWOH does not disclose or suggest a multi-dimensional graph where a relevance of the identified results to one or more search terms is represented as a first dimension. For example, none of the examples disclosed by KWOH disclose a relevance of the items in the tables to one or more search terms received from a user. In fact, this section of KWOH does not disclose, suggest, or even mention receiving search terms from the user. Instead, the examples given by KWOH disclose relating different attributes of the items depicted in the tables of KWOH to each other. Furthermore, this section (or any other section) of KWOH does not disclose or suggest image representations of search results.

Therefore, this section of KWOH does not disclose or suggest providing, by a communication interface or an output device of a server device, a document that includes a multi-dimensional graph of at least some results identified based on one or more search

queries, where a relevance of the identified results to the one or more search terms is represented as a first dimension on the multi-dimensional graph, at least one of the one or more selected search criteria is represented as a second dimension on the multi-dimensional graph, and image representations of the included identified results are plotted on the multi-dimensional graph based on relevance and the at least one of the one or more search criteria, as recited in claim 1, amended as proposed.

For at least the foregoing reasons, Applicant submits that claim 1 is not anticipated by KWOH. Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 102(e) based on KWOH be reconsidered and withdrawn.

Claims 2-5, 7, 9-12, 14, and 16, pending upon entry of the present Amendment, depend from claim 1. Therefore, these claims are not anticipated by KWOH for at least the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 2-5, 7, 9-12, 14, and 16 under 35 U.S.C. § 102(e) based on KWOH be reconsidered and withdrawn. Moreover, these claims are not anticipated by KWOH for reasons of their own.

For example, claim 12 recites that at least a portion of the axis corresponding to a second dimension comprises a logarithmic scale. The Examiner relies on Fig. 5 and paragraphs [0039]-[0046] of KWOH for allegedly disclosing this feature (final Office Action, p. 4). Applicant disagrees with the Examiner's interpretation of KWOH.

Paragraphs [0039]-[0046] of KWOH, which describe Fig. 5 of KWOH, disclose a multi-dimensional display, in the form of a table, of cruise packages available for sale. In the example of Fig. 5 of KWOH, the first product attribute is cruise location, and the second product attribute is the month of the cruise. A third product attribute displayed is

the cruise company and a fourth attribute displayed is the cabin class. The products are sorted and the price displayed so that by looking at the price, the user can tell the location, month, cruise company and cabin class. The defined attributes along the x and y axis can be chosen by the user or by the server. The user can select the attributes by answering questions, using a pull-down menu, or selecting radio buttons. In another implementation, certain cells of the table can be color coded.

This section of KWOH does not disclose or suggest any kind of scale for the attributes depicted in the table of Fig. 5, let alone <u>a logarithmic scale</u>. In fact, Fig. 5 of KWOH lists the available cruise packages without a particular order, such as increasing or decreasing price. Therefore, this section of KWOH does not disclose or suggest that at least a portion of the axis corresponding to a second dimension comprises a logarithmic scale, as recited in claim 12.

For at least these additional reasons, claim 12 is not anticipated by KWOH.

Independent claim 19, amended as proposed, recites features similar to, yet possibly of different scope than, features discussed above with respect to claim 1. Therefore, this claim is not anticipated by KWOH for at least reasons similar to the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claim 19 under 35 U.S.C. § 102(e) based on KWOH be reconsidered and withdrawn.

Independent claim 59, amended as proposed, is directed to a computer readable memory device containing instructions for controlling at least one processor to perform a method of providing a document that includes a multi-dimensional graph. The method includes providing an interface specific to searching a particular type of documents;

receiving, from a user, one or more search queries and a selection of a range of a search

criterion associated with the particular type of documents; searching stored data, based on

the one or more search queries, to identify results, where the identified results are

orderable by relevance to the one or more search queries and by the search criterion; and

providing a document that includes a multi-dimensional graph of at least some of the

identified results, where a relevance of the identified results to the one or more search

queries is represented as a first dimension on the multi-dimensional graph, the search

criterion is represented as a second dimension on the multi-dimensional graph, scaled

based on the selected range, and visual representations of at least some of the identified

results are positioned on the multi-dimensional graph, where at least some of the visual

representations partially overlap. KWOH does not disclose or suggest this combination

of features.

     For example, KWOH does not disclose or suggest providing a document that

includes a multi-dimensional graph of at least some of identified results, where <u>a</u>

<u>relevance of the identified results to one or more search queries received from a user is</u>

<u>represented as a first dimension on the multi-dimensional graph</u>, a search criterion is

represented as a second dimension on the multi-dimensional graph, <u>scaled based on a</u>

<u>range selected by the user</u>, and <u>visual representations</u> of at least some of the identified

results are positioned on the multi-dimensional graph, <u>where at least some of the visual</u>

<u>representations partially overlap</u>, as recited in claim 59, amended as proposed. The

Examiner relies on the abstract, Figs. 5-13, and paragraphs [0033]-[0053] of KWOH for

allegedly disclosing "providing a document that includes a multi-dimensional graph of

the identified results, at least one of the one or more search characteristics being

represented as a dimension on the multi-dimensional graph, where one of the identified results is represented by an image on the multi-dimensional graph (final Office Action, p. 3). Applicant submits that these sections (or any other sections) of KWOH do not disclose or suggest the above-noted feature of claim 59, amended as proposed.

The abstract of KWOH is reproduced above. This section of KWOH discloses a method for using a computer to search various travel-related products based on desired travel product attributes and displaying the results of the search in a multi-dimensional table.

This section of KWOH does not disclose or suggest a multi-dimensional graph where <u>a relevance of identified results to one or more search queries is represented as a first dimension</u>. This section of KWOH also does not disclose or suggest receiving a <u>selection of a range</u> from a user and <u>scaling a dimension of a multi-dimensional graph based on the selected range</u>. This section of KWOH also does not disclose or suggest <u>visual representations of identified results that partially overlap</u>.

Therefore, this section of KWOH does not disclose or suggest providing a document that includes a multi-dimensional graph of at least some of identified results, where <u>a relevance of the identified results to one or more search queries received from a user is represented as a first dimension on the multi-dimensional graph</u>, a search criterion is represented as a second dimension on the multi-dimensional graph, <u>scaled based on a range selected by the user</u>, and <u>visual representations</u> of at least some of the identified results are positioned on the multi-dimensional graph, <u>where at least some of the visual representations partially overlap</u>, as recited in claim 59, amended as proposed.

Paragraphs [0033]-[0055] of KWOH, which describe Figs. 5-13 of KWOH, disclose that when a user accesses the server, the server generates an interface prompting the user to enter information. The user is prompted to select a type of product, such a travel product or an electronic product. The user is also prompted to select the desired product attributes. For example, if the product is a cruise, the user can select the cruise length, the preferred cabin type, the desired price range, or the type of facilities the user would like to use, or the ports of call the user would like to visit. Once the consumer has entered the desired attributes, the processor searches the product databases for products that meet the criteria. The product information is then presented to the user in a multi-dimensional display in the form of a table. The table is organized by defining product attributes along the x and y axis.

In the example of Fig. 5 of KWOH, the first product attribute is cruise location, and the second product attribute is the month of the cruise. A third product attribute displayed is the cruise company and a fourth attribute displayed is the cabin class. The products are sorted and the price displayed so that by looking at the price, the user can tell the location, month, cruise company and cabin class. The defined attributes along the x and y axis can be chosen by the user or by the server. The user can select the attributes by answering questions, using a pull-down menu, or selecting radio buttons. In another implementation, certain cells of the table can be color coded.

In the example of Fig. 6 of KWOH, a television database is depicted, with each record including the brand, diagonal size, model number, whether the scan is progressive or interlaced, whether there is picture tuning, and the price. Fig. 7 of KWOH depicts a multi-dimensional display relating diagonal size, type of scan, television brand, whether a

television has picture tuning, and the price. Fig. 8 of KWOH depicts a multi-dimensional display of airline tickets relating the origin and destinations of flights, the number of stops a flight has, the airline, seat class, and the prices of the flights. Fig. 9 of KWOH depicts a multi-dimensional display for homes for sale relating the location, square footage, the number of floors, the number of bedrooms, and the prices. Fig. 10 of KWOH depicts a multi-dimensional display of digital cameras for sale relating the weight of the camera, whether the camera has optical or digital zoom, the brand of the camera, the number of pixels, and the prices. Fig. 11 of KWOH depicts a table of multiple products with different prices. Fig. 12 of KWOH depicts a menu that allows a user to select additional product attributes to sort by. Fig. 13 of KWOH depicts a table with the additional attributes selected by the user.

This section of KWOH does not disclose or suggest a multi-dimensional graph where a relevance of identified results to one or more search queries is represented as a first dimension. This section of KWOH also does not disclose or suggest receiving a selection of a range from a user and scaling a dimension of a multi-dimensional graph based on the selected range. This section of KWOH also does not disclose or suggest visual representations of identified results that partially overlap.

Therefore, this section of KWOH does not disclose or suggest providing a document that includes a multi-dimensional graph of at least some of identified results, where a relevance of the identified results to one or more search queries received from a user is represented as a first dimension on the multi-dimensional graph, a search criterion is represented as a second dimension on the multi-dimensional graph, scaled based on a range selected by the user, and visual representations of at least some of the identified

results are positioned on the multi-dimensional graph, <u>where at least some of the visual representations partially overlap</u>, as recited in claim 59, amended as proposed.

For at least the foregoing reasons, Applicant submits that claim 59 is not anticipated by KWOH. Accordingly, Applicant respectfully requests that the rejection of claim 59 under 35 U.S.C. § 102(e) based on KWOH be reconsidered and withdrawn.

Claims 60-64, 66-68, and 70-71, pending upon entry of the present Amendment, depend from claim 59. Therefore, these claims are not anticipated by KWOH for at least the reasons set forth above with respect to claim 59. Accordingly, Applicant respectfully requests that the rejection of claims 60-64, 66-68, and 70-71 under 35 U.S.C. § 102(e) based on KWOH be reconsidered and withdrawn.

<u>New Claims</u>

New proposed dependent claims 71-76 and 79 depend from claim 59. Therefore, these claims are not anticipated by KWOH for at least the reasons set forth above with respect to claim 59.

New proposed dependent claim 77 depends from claim 1. Therefore, this claim is not anticipated by KWOH for at least the reasons set forth above with respect to claim 1.

New proposed dependent claim 78 depends from claim 19. Therefore, this claim is not anticipated by KWOH for at least the reasons set forth above with respect to claim 19.

Conclusion

In view of the foregoing proposed amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the proposed pending claims. Applicant respectfully requests that the Examiner enter the amendment because the amendment does not raise new issues or require a further search of the art. Moreover, Applicant respectfully submits that the proposed amendment places the present application in condition for allowance. In addition, Applicant respectfully submits that entry of this proposed amendment would place the application in better form for appeal in the event that the application is not allowed.

As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, assertions as to dependent claims, etc.) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §

1.136 is hereby made. Please charge any shortage in fees due in connection with the

filing of this paper, including extension of time fees, to Deposit Account No. 50-1070

and please credit any excess fees to such deposit account.

Respectfully submitted,

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